

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

MATTHEWS ET AL.

APPLICATION NO: N/A

FILED: Herewith

FOR: SPONTANEOUSLY DISPERSIBLE N-BENZOYL
STAUROSPORINE COMPOSITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to the examination of the above-referenced patent application, please amend the application as follows:

In the Specification:

Please insert the following after the title, page 1,

--This application is a continuation of PCT Patent Application No. PCT/EP00/01196, filed February 14, 2000, which is herein incorporated by reference.--.

In the Claims:

Please amend claims 3 – 6, 10, 13 as follows:

3. (Amended) A composition according to claim 1 wherein the hydrophilic component comprises ethanol, 1,2-propylene glycol or a polyethylene glycol.
4. (Amended) A composition according to claim 1 wherein the surfactant is selected from the group consisting of polyoxyethylenes, polyglycerols and related polyols, and polyalkylene oxide copolymers.

5. (Amended) A composition according to claim 1 wherein the surfactant is selected from the group consisting of a polyoxyethylene castor oil, a polyoxyethylene alkyl ether, and a polysorbate.
6. (Amended) A composition according to claim 1 wherein the surfactant has an HLB value of greater than 10 and the composition further comprises a co-surfactant having an HLB value of less than 10.
10. (Amended) A method of treatment for treating subjects in need of N-benzoyl-staurosporine therapy comprising administering a dispersible pharmaceutical composition according to claim 1 to a subject in need of such treatment.
13. (Amended) A method of increasing bioavailability levels or reducing variability of bioavailability levels of N-benzoylstaurosporine, said method comprising orally administering a composition according to claim 1 to fasted beagle dogs.

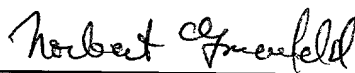
REMARKS

Claims 3 to 6, 10 and 13 had been amended to eliminate multiple dependencies. Claims 3-6 have been amended to state more proper US claim language. Favorable consideration of this application is respectfully requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached pages are captioned "VERSIONS WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

Novartis Corporation
Patent and Trademark Dept.
564 Morris Avenue
Summit, NJ 07901-1027
(908) 522-6921



Norbert Gruenfeld
Agent for Applicants
Reg. No. 30,061

Date: *August 14, 2001*

VERSION WITH MARKINGS TO SHOW CHANGES MADE**In the Claims:****Claims 3 – 6, 10, 13 had been amended as follows:**

3. A composition ~~as claimed in~~ according to claim 1 or claim 2 wherein the hydrophilic component comprises ethanol, 1,2-propylene glycol or a polyethylene glycol.
4. A composition ~~as claimed in any preceding~~ according to claim 1 wherein the surfactant is selected from the group consisting of polyoxyethylenes, polyglycerols and related polyols, and polyalkylene oxide copolymers.
5. A composition ~~as claimed in any preceding~~ according to claim 1 wherein the surfactant is selected from the group consisting of a polyoxyethylene castor oil, a polyoxyethylene alkyl ether, and a polysorbate.
6. A composition ~~as claimed in any preceding~~ according to claim 1 wherein the surfactant has an HLB value of greater than 10 and the composition further comprises a co-surfactant having an HLB value of less than 10.
10. A method of treatment for treating subjects in need of N-benzoyl-staurosporine therapy comprising administering a dispersible pharmaceutical composition according to ~~any preceding~~ claim 1 to a subject in need of such treatment.
13. A method of increasing bioavailability levels or reducing variability of bioavailability levels of N-benzoylstaurosporine, said method comprising orally administering a composition according to ~~any preceding~~ claim 1 to fasted beagle dogs.